

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Index No. 05 CV 3939

SHAW FAMILY ARCHIVES, LTD

Plaintiff(s) Petitioner(s)

against

CMG WORLDWIDE, INC

Defendant(s) Respondent(s)

Calendar No.

AFFIDAVIT  
OF  
SERVICE

STATE OF DELAWARE, COUNTY OF: NEW CASTLE

Ss.:

The undersigned, being sworn, says: Deponent is not a party herein, is over 18 years of age and resides at Wilmington, DE

On 4/20/05 at 1:46 P.M., at NATIONAL REGISTERED AGENTS 9 E. LOOCKERMAN ST. DOVER, DE  
 deponent served the within ☐ summons ☐ with notice ☐ summons, Spanish summons and complaint, the language  
☒ summons and complaint ☐ notice of petition and petition required by NYCRR 2900.2(e), (f) & (h) was set forth on  
☐ subpoena duces tecum ☐ subpoena on the face of the summons(es)  
☐ citation ☐

on MARILYN MONROE, LLC ☒ defendant ☐ witness hereinafter called therein  
☐ -spondent the recipient lamed

INDIVIDUAL 1. ☐ by delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as  
 said recipient therein.

CORPORATION 2. ☒ a DELAWARE corporation, by delivering thereat a true copy of each to JODY HARRINGTON  
 personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said  
 individual to be PROCESS AGENT thereof

SUITABLE AGE PERSON 3. ☐ by delivering thereat a true copy of each to a person of suitable age and  
 discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling place ☐ usual place of abode within the state.  
 AFFIXING TO DOOR, ETC. 4. ☐ by affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling place  
☐ usual place of abode within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age  
 and discretion, thereat, having called there

MAILING TO RESIDENCE USE WITH 3 OR 4 5A. ☐ Deponent talked to at said premises who stated that recipient ☐ lived ☐ worked there.  
 Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient  
 at recipient's last known residence, at and deposited

MAILING TO BUSINESS USE WITH 3 OR 4 5B. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly  
 addressed to recipient at recipient's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service  
 within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof,  
 by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

DESCRIPTION ☒ Male ☒ White Skin ☒ Black Hair ☐ White Hair ☐ 14-20 Yrs. ☐ Under 5' ☐ Under 100 Lbs.  
☒ Female ☐ Black Skin ☐ Brown Hair ☐ Balding ☐ 21-35 Yrs. ☐ 5'0"-5'3" ☐ 100-130 Lbs.  
☐ Yellow Skin ☐ Blonde Hair ☐ Mustache ☒ 36-50 Yrs. ☒ 5'4"-5'8" ☐ 131-160 Lbs.  
☐ Brown Skin ☐ Gray Hair ☐ Beard ☐ 51-65 Yrs. ☐ 5'9"-6'0" ☐ 161-200 Lbs.  
☐ Red Skin ☐ Red Hair ☐ Glasses ☐ Over 65 Yrs. ☐ Over 6' ☐ Over 200 Lbs.

☐ Other identifying features:

WITNESS FEES \$ the authorizing traveling expenses ☐ was paid (tendered) to the recipient  
☐ and one days' witness fee: ☐ was mailed to the witness with subpoena copy.

MILITARY SERVICE ☐ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity  
 whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information  
 and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not  
 in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on 4/20/05

KEVIN DUNN  
 NOTARY PUBLIC  
 STATE OF DELAWARE  
 My Commission Expires Nov. 23, 2006

License No.

GRANVILLE MORRIS  
 BRANDYWINE PROCESS SERVERS, LTD  
 BOX 1360 WILMINGTON, DE  
 302-475-2600